

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CAROLINE BERNSTEIN, an individual,	:	
MARLA UROFSKY on behalf of	:	
RHEA SCHWARTZ, an individual, on	:	
behalf of themselves and all others	:	
similarly situated,	:	
Plaintiffs,	:	
	:	Civil Action
v.	:	
	:	No. 17-4960
SERVICE CORPORATION	:	
INTERNATIONAL and SCI	:	
PENNSYLVANIA FUNERAL	:	
SERVICES,	:	
Defendants.	:	

ORDER

On this 6th day of December, 2018, upon consideration of Defendants’ Omnibus Motion to Strike Plaintiffs’ Class Allegations and Dismiss Counts I, III, and IV of Plaintiffs’ First Amended Class Action Complaint, Plaintiffs’ Response, and the parties’ supplemental briefs, it is hereby **ORDERED** that the Omnibus Motion is **GRANTED** in part and **DENIED** in part. The Motion to Strike is **DENIED**. The Motion to Dismiss is **GRANTED** without prejudice with respect to the negligence claim in Count I and with prejudice as to the breach of duty of good faith and fair dealing claim in Count IV. The Motion is **DENIED** with respect to the UTPCL claim in Count III.

 /s/ Gerald Austin McHugh
United States District Judge